



**TOWN OF LAKE PARK
PLANNING & ZONING BOARD
MEETING MINUTES
DECEMBER 3, 2012
7:30 P.M.**

CALL TO ORDER

The Planning & Zoning Board Meeting was called to order at 7:30 p.m. by Chair Judith Thomas.

ROLL CALL

Chair Judith Thomas	Present
Vice-Chair Natalie Schneider	Present
Anthony Bontrager	Excused
James Lloyd, 1 st Alternate	Present
Kimberly Glas-Castro, 2 nd Alternate	Present

Also present were Thomas J. Baird, Town Attorney; Nadia DiTommaso, Community Development Director; Debbie Abraham, Planner; and Kimberly Rowley, Board Secretary.

APPROVAL OF AGENDA

Chair Thomas requested a motion to approve the Agenda as submitted. Vice-Chair Schneider made a motion to approve the Agenda as presented, and the motion was seconded by Board Member Lloyd. The vote was as follows:

	Aye	Nay
Judith Thomas	X	
Natalie Schneider	X	
James Lloyd	X	
Kimberly Glas-Castro	X	

The Motion carried 4-0 and the Agenda was unanimously approved.

APPROVAL OF MINUTES

Chair Thomas requested a motion to approve the Minutes of the November 5, 2012, Planning & Zoning Board Meeting as submitted. Vice-Chair Schneider made a motion to approve the Minutes, and the motion was seconded by Board Member Lloyd. The vote was as follows:

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	Aye	Nay
Judith Thomas	X	
Natalie Schneider	X	
James Lloyd	X	
Kimberly Glas-Castro	X	

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The Motion carried 4-0 and the Minutes of the November 5, 2012, Planning & Zoning Board Meeting were unanimously approved as submitted.

ORDER OF BUSINESS

Chair Thomas outlined the procedure for the Order of Business and Public Comments.

PUBLIC COMMENTS

There were no comments from the public.

NEW BUSINESS

A. TEXT AMENDMENT TO SECTION 78-148(a) – *To reduce the distance separation between gas stations from 1,200 feet to 500 feet.*

Applicant: Town of Lake Park.

Debbie Abraham, Town Planner, addressed the Planning & Zoning Board and presented the request for a Text Amendment to Section 78-148(a) which currently states:

No gasoline and oil filling station and no service station shall be erected within 1,200 feet of any church, hospital, school or other similar institution, or within 1,200 feet of location of another gasoline and oil filling station or service station located within the Town.

Ms. Abraham explained that on October 3rd and October 17, 2012, a representative from Congress Avenue Properties approached the Town Commission requesting a change to the current distance requirement from one gasoline/oil filling station to another. Congress Avenue Properties also brought forth a letter written by an environmental consultant stating that, from an environmental perspective, a distance separation of 1,200 feet between gasoline/filling stations is no longer necessary. Staff researched probable reasons for the 1,200' requirement, as well as project approval history of existing gas stations within the Town. Staff learned that the provision was adopted in 1966 and that only one gas station, which was built in 1983, has been non-compliant with the distance requirement of the Town. There were no variances or development orders found to support this decision.

On October 17, 2012, the Town Commission motioned Staff to pursue a Text Amendment which changes the distance requirement from 1,200 feet to 600 feet. However, since the Northlake Boulevard Overlay Zone (NBOZ) has a separation requirement of 500 feet, Staff

is recommending that the distance requirement be reduced further to 500 feet in order to be consistent with the NBOZ.

In summary, Ms. Abraham stated that pursuant to the Town Commission's motion, as well as the environmental evidence provided by the environmental consultant, Staff is recommending approval of the Text Amendment.

Board Member Glas-Castro questioned which zoning districts permit gas stations. Ms. DiTommaso stated that gasoline stations are allowed in the C-2 District as a special exception use. Vice-Chair Schneider questioned if Staff had researched the separation requirements of other municipalities. Ms. Abraham stated that her research showed that a 1,200 foot separation requirement was not typical and that most other local municipalities had separation requirements ranging between 500' and 800'. Chair Thomas questioned if the 500' separation requirement would be allowed in every zoning district. Ms. DiTommaso replied that it would apply within every zoning district in which gasoline/filling stations are permitted. Board Member Glas-Castro stated that she had no concerns regarding the separation requirement but questioned whether there were other supplemental regulations for gas stations and location criteria and circulation standards. Chair Thomas asked if there was a Performance Table related to code for development orders in the various zoning districts. Ms. DiTommaso stated that currently there are various standards throughout the Town Code, but not in a Performance Table, and that re-writing the Code is a work-in-progress.

There being no further comments from the Board, Chair Thomas requested a motion to approve Staff's recommendation for a Text Amendment to Section 78-148(a) to reduce the distance separation requirement between gasoline and oil filling stations from 1,200 feet to within 500 feet of another gas station within the Town. Board Member Lloyd made a motion for approval, and the motion was seconded by Board Member Schneider. The vote was as follows:

	Aye	Nay
Judith Thomas	X	
Natalie Schneider	X	
James Lloyd	X	
Kimberly Glas-Castro	X	

The Motion carried 4-0, and the Town's proposed Text Amendment to Section 78-148(a) was approved.

B. TEXT AMENDMENT TO SECTION 78-70, Table 78-70-7 – Amending the language in the Park Avenue Downtown District (PADD) Sign Code to increase the permitted awning signage to a maximum of 10 inches in height instead of 6" in height.
Applicant: Town of Lake Park.

Debbie Abraham, Town Planner, addressed the Planning & Zoning Board and presented the proposed Text Amendment to Section 78-70, Table 78-70-7.

Ms. Abraham explained that currently the Park Avenue Downtown District (PADD) requires that all lettering on awnings must not exceed 6" in height. However, many plazas in Town have fixed signs with lettering 10" in height, which is inconsistent with Town Code. The PADD Sign Code does not require amortization and therefore, the existing signs are under no obligation to change to 6" lettering in an attempt to be conforming. However, new businesses are required to meet the existing Town Code of 6" lettering, which is visually inconsistent. Therefore, in order to encourage compatibility with existing signage, Staff is recommending the PADD Sign Code be amended to change the lettering size limit from 6" in height to 10" in height. Ms. Abraham further stated that 10" lettering would be consistent with the Town's overall signage requirements, as long as the sign area is in proportion to the size of the awning, and furthermore, that new businesses would be able to enjoy the same amount of signage as existing businesses.

Ms. Abraham stated that Staff is recommending approval of a Text Amendment amending the language in the Park Avenue Downtown District (PADD) Sign Code to increase the permitted awning signage from 6" in height to a maximum of 10 " in height.

Board Member Schneider stated that the language "the maximum size which is in proportion to the size of the awning" is a bit confusing. Ms. DiTommaso responded that during her research she found that in 2009 the language in the awning sign table was changed to read *in proportion to the size of the awning* - and that the language previously read *a maximum 3 square feet*, however, the 6" did not change at that time. Board Member Glas-Castro questioned if there is a definition in the Code of what being in proportion is, and she doesn't feel that a "inch/height size" needs to be specified, as long as it is in proportion, because of the subjectivity and it may invite challenges. Chair Thomas asked if uniformity would be considered when talking about being in proportion. Ms. DiTommaso stated that compatibility and uniformity would be considered, and that the language is not in the Table, but that it can be added. Chair Thomas stated that she feels that the language needs to be added to the Code for consistency purposes and for more clarity.

There being no further comments, Chair Thomas requested a motion to approve Staff's recommendation for a Text Amendment to Section 78-70, Table 78-70-7, amending the language in the Park Avenue Downtown District (PADD) Sign Code to increase the permitted awning signage from 6" in height to a maximum of 10" in height, *with added language for uniformity of the awning signage*. Board Member Schneider made a motion for approval, and the motion was seconded by Board Member Lloyd. The vote was as follows:

	Aye	Nay
Judith Thomas	X	
Natalie Schneider	X	
James Lloyd	X	

Kimberly Glas-Castro	X	
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The Motion carried 4-0, and the Town's recommended Text Amendment to Section 78-70, Table 78-70-7, amending the language in the Park Avenue Downtown District (PADD) Sign Code to increase the permitted awning signage from a maximum of 6" in height to 10" in height, *with added language for uniformity of the awning signage*, was approved.

COMMENTS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

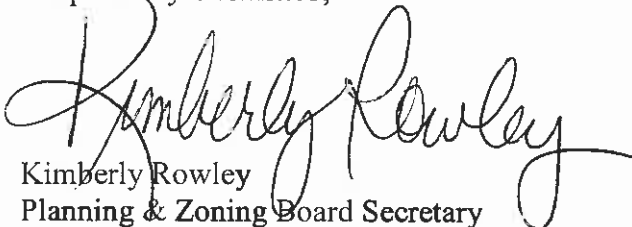
Ms. DiTommaso informed the P & Z Board Members that at the January 2013 Planning & Zoning Board Meeting they would be provided with an updated spreadsheet outlining the actions of the Town Commission on projects which had previously come before the P&Z Board.

Chair Thomas asked if the Board would be receiving minutes of the October 18, 2012, Joint Planning & Zoning Board Meeting between the Town of Lake Park and the Village of North Palm Beach for approval. Ms. DiTommaso informed the Board that as of this date, the Village of North Palm Beach has not provided the Town with a copy of the minutes and that upon receipt, the minutes would be provided to the Board.

ADJOURNMENT

There being no further business before the Board, Chair Thomas adjourned the Meeting at 8:00 p.m.

Respectfully Submitted,


Kimberly Rowley
Planning & Zoning Board Secretary

PLANNING & ZONING BOARD APPROVAL:


Judith Thomas, Chair
Town of Lake Park Planning & Zoning Board

DATE:

1/7/2013